संगणक सांकेतिक नंबर - 202011101614094118

महाराष्ट्र राज्यातील सार्वजनिक बांधकाम विभागाच्या अखत्यारीतील विविध दर्जाच्या रस्त्यांवर, शासकीय इमारतींच्या आवारात, शासकीय इमारतींच्या छतावर, विविध दर्जाच्या रस्त्याच्या ROW मध्ये दोन्ही बाजूस खाजगी जाहिराती फलक उभारण्याचे हक्क देणेबाबत मार्गदर्शक सूचना.

महाराष्ट्र शासन
सार्वजनिक बांधकाम विभाग,
शासन परिपत्रक क्र.जाहिनि-२०१५/प्र.क्र.३२५/२०१५/रस्ते-६,
मंत्रालय,मुंबई-४०० ०३२.
दिनांक- १३.७.२०१६

शासन परिपत्रक:-

सद्यस्थितीत विविध मुख्य अभियंता, सार्वजनिक बांधकाम प्रादेशिक विभाग, यांचेकडून वेळोवेळी जाहिराती लावण्याचे हक्काचे प्रस्ताव शासनाकडे मान्यतेसाठी प्राप्त होत असतात व प्रकरणपरत्वे प्रस्तावास मान्यता देण्यात येत असते. या रस्त्यांवर रस्त्याच्या लांबीत दोन्ही बाजूला व दुभाजकावर रस्त्याच्या पृष्ठभागापासून सुरक्षित अंतरावर व उंचीवर आणि शासकीय इमारतींचे विद्रुपणीकरण होणार नाही अशा ठिकाणी खाजगी जाहिरात फलकाची जागा व आकारमान निश्चित करुन खुल्या निविदा पध्दतीव्दारे या जागांवरील जाहिरात फलकांचे हक्क देवून नियमित मासिक / वार्षिक निधी उभारला जाऊ शकेल. अशा प्रकारचे प्रस्तावाची तपासणी व मान्यतेसाठी सर्वंकष मार्गदर्शक सूचना निर्गमित करण्याची बाब शासनाच्या विचाराधीन होती. त्यानुसार याबाबत शासनाने खालीलप्रमाणे निर्णय घेतला आहे.

महाराष्ट्र राज्यातील सार्वजनिक बांधकाम विभागाच्या अखत्यारीतील विविध दर्जाच्या रस्त्यांवर,शासकीय इमारतींच्या आवारात, शासकीय इमारतींच्या छतावर, विविध दर्जाच्य रस्त्याच्या ROW मध्ये तसेच सर्व रस्त्यांच्या मध्यापासून रस्त्याच्या हद्दीपर्यत दोन्ही बाजूस खाजगी जाहिराती फलक उभारण्याचे हक्क देणेबाबत मार्गदर्शक सूचना निश्चित करण्यात येत आहेत. या मार्गदर्शक सूचना सदर शासन परिपत्रकासोबत जोडलेल्या "परिशिष्ट-अ" प्रमाणे आहेत.

उपरोक्त मार्गदर्शक सूचनांनुसार मुंबईतील पूर्व व पश्चिम द्रुतगती महामार्ग, सायन-पनवेल महामार्ग या महामार्गावरील जाहिरातीच्या प्रस्तावास शासन स्तरावर व राज्यातील इतर मार्गाच्या प्रस्तावास

संबंधित मुख्य अभियंता यांच्या स्तरावर मान्यता देण्यात येईल. सदर मान्यतेचा कालावधी ५ वर्षाचा राहील.यासंदर्भात मान्य प्रारूप निविदा पत्राबाबत स्वंत्रपणे आदेश निर्गमित करण्यात येतील.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(राजेश खटके)
अवर सचिव, महाराष्ट्र शासन

प्रत,

१) प्रधान सचिव(सा.बां.),सार्वजनिक बांधकाम विभाग, मंत्रालय, मुंबई.
२) उपाध्यक्ष व व्यवस्थापकीय संचालक, महाराष्ट्र राज्य रस्ते विकास महामंडळ,मुंबई,
३) सचिव(रस्ते), सार्वजनिक बांधकाम विभाग, मंत्रालय, मुंबई,
४) सचिव(बांधकामे), सार्वजनिक बांधकाम विभाग, मंत्रालय, मुंबई,
५) सर्व मुख्य अभियंता, सार्वजनिक बांधकाम विभाग,
६) सर्व अधीक्षक अभियंता, सार्वजनिक बांधकाम विभाग,
७) सर्व कार्यकारी अभियंता, सार्वजनिक बांधकाम विभाग,
८) सर्व अवर सचिव/ कक्ष अधिकारी,सार्वजनिक बांधकाम विभाग,मंत्रालय,मुंबई,
९) निवड नस्ती (कार्या/रस्ते-६)

(शासन परिपत्रक क्र.जाहिनि-२०१५/प्र.क्र.३२५/२०१५/रस्ते-६,दि.१३.७.२०१६ सोबतचे सहपत्र)

परिशिष्ट-अ

PUBLIC WORKS DEPARTMENT

GOVERNMENT OF MAHARASHTRA

GUIDELINES FOR OUTDOOR ADVERTISING IN RIGHT OF WAY (ROW) OF ROADS UNDER JURISDICTION OF PUBLIC WORKS DEPARTMENT AND IN THE BUILDING PREMISES OF PUBLIC WORKS DEPARTMENT, GOVERNMENT OF MAHARASHTRA

1. **NAME & STYLE** :
   These may be called as the guidelines for outdoor advertising in right of way (ROW) of roads under jurisdiction of PWD and in the building premises of PWD, Government of Maharashtra.

2. **DEFINITIONS & TERMINOLOGY** :

   1. **ADVERTISEMENT** - Means and includes any device of representation in any manner such as announcement or direction by word, letter, model on sign by means of hoarding boards, illuminated signs, name boards direction boards, etc.(advertisements in form of posters, banners, temporary arches shall not be allowed since the same are generally not removed/left in place making the premises look shabby)
   2. **AGENCY** - Means a **Successful Bidder** who may be an individual, registered charitable organization, firm, partnership, or a company incorporated under the Companies Act. 1956.(Agency is to be selected through open tendering process, hence the word "applicant" shall be replaced by "successful bidder".)
   3. **APPROVED** - Means approved by the Chief Engineer .
   4. **BOARD** – Includes a case, frame of surface of any material whatsoever.
   5. **BUILDING LINE** - The line up to which the plinth of a building adjoining a street can extend. It includes the lines prescribed if any, in any scheme.
   6. **COMBUSTIBLE MATERIAL** - A material is combustible, if it burns or adds heat to a fire when tested for combustibility in accordance with good practice.
   7. **CARRIAGE WAY** - Means that part of the road on which vehicles ply.
   8. **CHIEF ENGINER** - Means Chief Engineer, P.W.D.
   9. **PWD** - Means the Public Works Department, Government of Maharashtra
   10. **ELECTRONIC BILLBOARD** - Means electronically operated advertisement on board.

11. **GUARD RAIL** - Means fence or rails supported on upright metal board, fixed on road (along median footpath, bridges etc.) for guiding movement of traffic.

12. **HOARDINGS** - Means any surface of structure erected on the ground within land width of roads, within jurisdiction of Public Works Department, on any portion of a roof of a government building or above the parapet with characters, letters or illustrations applied there to and displayed in any manner whatsoever, out of doors, for purpose of advertising or to give information with a view to attract the public at any place of persons, public performance articles of merchandise whatsoever.

13. **OWNER**
Owner is Public Works Department, Government of Maharashtra. It also includes authorized representative of the Public Works Department i.e. Executive Engineer In-charge of the road / buildings under consideration.

14. **ROTARY** - Means Central island on a road junction for regulating movement of traffic.

15. **RIGHT OF WAY**–
It is the land in possession of Public Works Department.

16. **STRUCTURAL ENGINEER** - Structural Engineer is a professional practicing structural engineer having minimum graduation in civil engineering / structural engineering with adequate experience of design of structures based on latest codal provisions and design practices.

17. **SIGN**- Means any work, letter, picture, model, sign, device, of the representation in the nature of an advertisement information, announcement or direction, printed, inscribed, embossed or painted and includes sky-sign also.

   a. **Advertising Sign** - Any surface or structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for purpose of advertising or to give information regarding or to attract the public to any place, person, public performance article or merchandise whatsoever, and which surface or structure is attached to, forms part or is connected with any buildings, or is fixed to tree or to the ground or to any pole, screen, fence or hoarding or displayed in space.

   b. **Closed Sign**- An advertising sign in which, at least more than 50% of the area is solid or tightly enclosed or covered.

   c. **Electric Sign** - An advertising sign in which electric fittings, which are an integral part of the signs, are used.

   d. **Ground Sign** - An advertising sign detached from a building and erected or painted on the ground or on any pole screen fence or hoarding and visible to the public.

e. **Illuminated sign** - An advertising sign, permanent or otherwise, the functioning of which depends upon its being illuminated by direct or indirect lights, and other than an electric sign.

f. **Mercury Sign**- An advertising sign attached to or hung form a marquee canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line

g. **Open sign**- An advertising sign in which at least fifty percent of the enclosed area is uncovered or open to the transmission of wind.

h. **Projections Sign**- An advertising sign affixed to any building element and projecting more than 30 cm there from.

i. **Roof Sign**- An advertising sign erected or placed on or above the parapet or any portion of road or a building including signs painted on the roof of a building.

j. **Sky - Sign**- Means any word, letter, model sign, device or representation in the nature of an advertisement announcement or direction. supported on or attached to any point, poles, standard frame work or other support wholly or in any part of which sky -sign shall be visible against the sky from some point in any street and includes all and every part of any such, post, pole, standard frame-work or other support. The expression "Sky-sign" shall also include any direction upon or over any- land, building or structure or upon or over any street but shall not include any staff, pole, vane, weather cock, unless adopted or used wholly or in part for purpose of any advertisement, announcement of direction.

An Advertising sign displayed in space like :

i a gas filled balloon anchored to a point on the ground and afloat in the air with or without a streamer of cloth, etc.

ii. sky writing that is, a sign or work traced in the atmosphere by smoke discharged from an airplane.

k. Advertisements in form of posters shall not allowed since the same are generally not removed/left in place making the premises look shabby.

l. Advertisements on Traffic Island shall not be allowed since they will interfere with the vision of the vehicle driver Only logos of company/organization may be allowed with such a size that will not obstruct the vision of the vehicle driver.

18. **TREE GUARDS** - Means fence or rails around the tree used for protection of trees.

19. **GOVERNMENT** – Means Government of India or Government of Maharashtra.

3. **OBJECTIVES OF THE GUIDELINES** :

1. To facilitate adequate opportunity to citizens of Maharashtra State to keep themselves informed about various commercial and social activities and happenings.
2. To plan and provide space for various advertising media within the limits **of Right of Way of PWD roads and buildings** within jurisdiction of PWD.
3. To act as a regularity body for planned development of these outdoor advertising media so that they are in conjunction with various aspect of urban/ **rural** development.
4. To generate revenue for the P.W.D. from these advertising activities.
5. To device a package for encouraging the publicity of social cause activities like public awareness program for health, civic manners, education etc.
6. To improve the standard for advertisement media which will in turn increase their market potential (value addition)
7. To increase the participation of public and private parties for creation and maintenance of **public amenities like public toilets, etc.**
8. To Plan, Design & regulate the advertising media which takes care of Traffic Safety such as:
   a. Distraction of attention for Road User
   b. Obstacles to sight especially at curves and illuminated points.

4. A. The advertisement rights will become void in following cases.

1. If any sign or the part there of falls either through an accident or by any other cause.
2. If any addition is made except for the purpose of making it secure under the direction of the Executive Engineer.
3. If any change is made in the sign or part thereof.
4. If any addition or alternation is made to the road, building or structure upon or over which the sign is erected and if such or alternation involves disturbance of the sign or any part thereof, and
5. If the road building or structure upon or over which the sign is erected, fixed or restrained becomes demolished or destroyed.

B . Light and ventilation of building, if any situated near the signs and hoardings shall not be obstructed in any way.

C . Advertisement displayed shall not be of any objectionable or obscene nature.

D. In the public interest the Chief Engineer shall have the right to suspend the advertisement rights even before the expiry period, upon which the agency shall remove the same.

E The agency shall be responsible for the observance of all the rules and regulations laid down by the Chief Engineer .

F. The signs should not nor mar the aesthetic beauty of the locality.

G. The signs other than pertaining to building shall not be permitted to come in front of buildings such as hospitals, educational institutions public offices, museums, buildings devoted to religious worship and building of national importance as notified by the Chief Engineer.

H As per the instructions of the Honorable Supreme Court of India periodical road safety audits are conducted on roads of PWD. If according to the reports of the safety audit, it is required, the agency will remove the hoarding and reinstall it at other suitable location approved by the Executive Engineer. No compensation of any sorts will be made to the agency for this eventuality.

5. **PROCEDURE FOR BIDDING :**

OPEN TENDERING :-

1. The Engineer In Charge shall call offers by inviting open tenders for advertisements on roads / buildings of PWD in specific stretch (length) with specifying types, sizes & spacing (distance between two advertisements) along with restrictions. The bidder has to formulate his own scheme on the basis of above parameters and submit his offer.
2. The highest bidder shall only be accepted.
3. The period for advertisement rights shall normally be for a period of 5 years and shall not be extended in any case.
4. For tendering purpose the procedure for Cost of Tender Form, Earnest Money Deposit shall be applicable as per present PWD rules.
5. The work order shall be issued to the bidder after receipt of full onetime payment as per his accepted offer.
6. The tendering procedure shall be of two envelope type i.e.

   Envelope 1 – Technical Proposal.

   Envelope 2 - Financial Proposal.

A- **DOCUMENTS TO BE SUBMITTED WITH -BID:**

Bidder shall upload the copies of following documents.

1. **Technical Proposal -**

1. i) VAT registration certificate. ii) Service tax registration iii) Income tax clearance certificate. iv)Registration Certificate for Company / firm /Partnership Deed / Adar Card in case of individuals v)Scheme for Advertisements complying to the parameters given as per para 5 (1) vi) Earnest Money vii) Copies of the location plan indicating presence of any tress or any other hoarding within 250 meters of the location along the same alignment and dimensions thereof. Viii) N.O.C. from traffic authorities should

be submitted if the advertisement is to be illuminated. ix) Any other document as required in the notice inviting tender.

2. Financial Proposal –

Bidder shall submit financial offer in electronic form.

B- OWNERSHIP OF THE STRUCTURE ERRECTED FOR THE ADVERTISEMENT -

The agency who gets the right for advertisement through open tender and where the structure is to be erected newly, it will be erected by the agency at its own cost. After the expiry of the period of advertisement of the agency, the structure erected by it, will be left as it is by the agency and its ownership will be of PWD Government of Maharashtra. The agency should bid accordingly.

6. DISPUTE REDRESSAL

In case of any dispute regarding the agreement between the agency and the owner PWD, the decision of the concerned Chief Engineer will be binding on the agency.

7. PERMISSIBLE TYPES OF ADVERTISEMENT STRUCTURES:

Following types of advertisement shall be permissible.

1) Hoarding Boards on Unipoles / any suitable supporting structure at the edge of Right of Way .
2) Advertisements on back side of information gantries across the road / Service Road .
3) Gantries specifically installed across the road for advertisement.
4) Lolly Pop Signs on the electric poles / kiosks on the median and along foot path of roads.
5) Boards on roof tops of buildings.
6) Foot over Bridges / fly overs roads.
7) Bus Stops along roads.
8) On tree guards.
9) Road side amenities in lieu of Advertisement rights.
10) Plantation / beatification in median / Island in lieu of lolly pop signs of restricted size of 2' wide and 3' height in the median.
11) Maintenance and security for Pedestrian Under Passes in lieu of advertisements rights
12) Only Roof Top Advertisement shall be allowed in case of buildings since allowing any other type of advertisement will make the premises look clumsy like a bus stand)

8. SPACINGS BETWEEN TWO ADVERTISEMENTS:

1) Hoarding Boards on unipole / any suitable supporting structure – Minimum 100 meters in urban areas and at 500 meters in rural areas.
2) Gantries – Minimum 1000 meters in urban areas and at 5000 meters in rural areas. Gantries specifically installed across the roads for advertisements 1000 meters in urban areas and at 5000 meters in rural areas.
3) Lolly Pop Signs / Kiosks- Minimum 60 meters in urban areas and 100 meters in rural areas.
4) Unipoles – At 100 meters in urban areas and at 500 meters in rural areas.
5) On Sides of Foot Over Bridges and flyovers – Minimum vertical clearance of 5.50 meters above the road top level.
6) No advertisement of any type, shall be allowed on or across the road within a distance of 100 meters from a road junction.
7) No advertisement shall be allowed on roads in Mountainous and Hilly terrains except otherwise approved by the Chief Engineer in exceptional cases on merit basis provided that he is satisfied about the safety aspects of the road traffic after installation of advertisement.

GENERAL NORMS FOR SIZE OF HOARDINGS :

i)The standard sizes of the hoarding boards shall be as follows:

a. 3.0 m. X 6.0 m.
b. 6.0 m. X 6.0 m.
c. 9.0 m. X 6.0 m.
d. 12.0 m. X 6.0 m.
e. 4.50 m. X 9.0 m.
f. 12.0 m X 12.0 m.
g. 12.0 m. X 18.0 m.
h. 12.0 m. X 24.0 m
i. FOB – Height shall be 2.0 m. and width as per availability
j. Information Gantries – Height shall be 2 5 m. and width as per availability.
k. Pedestrian Underpass – Height shall be 2.0 m. and width as per availability.

ii) However, exception could be made in deserving cases like advertisement on (2) entrance of sub-ways,(3) railings of an over bridge

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9. STRUCTURAL DESIGN / ERECTION OF THE HORDING :

a. The design / erection of the hoarding shall be aesthetically designed and shall be approved by the Structural Engineer strictly as per the structural plan. The architectural designs should be in conformation with standard specifications.

b. After the expiry of the agreement period of the agency, fresh tenders will be called for giving advertisement rights at the same place / structure. The new agency will have to submit the certificate from structural engineer about stability and safety of the structure before displaying any advertisement.

10. STRUCTURAL STABILITY OF THE BUILDING :

a. Advertising hoardings shall be allowed to be erected on a building only if it has been examined from the angle of the structural stability and safety of the building and its occupants, and a certificate along with the design and calculations to that effect from Executive Engineer, Public Works Department is produced.

11. PERMISSIBLE COLOURS OF ADVERTISEMENT :

The colours used on hoardings shall not have any resemblance with the colours of traffic signals/symbols and boards and no hoarding shall be placed to obstruct clear vision of any traffic signal.

12. BOTTOM CLEARANCE OF THE HOARDING BOARD :

a) The lower bottom of the hoarding board shall not be at a height less than 3 meters (10 feet) from the surface of highest point of the road along it.

b) However, if hoarding board is sought to be projected on to highway footpath, in addition to other conditions the lower bottom of the hoardings board shall not be at height less than 5.5 meters from highest point of the road along it.

c) No such projection shall be allowed on a public road where there is no footpath.

13. MAXIMUM HEIGHT OF THE HOARDING BOARD :

a) When erected on ground, the maximum height of the hoarding board shall not be more than 15 meters (50 ') from the surface of the highest point of the road along it.

b) When erected on terrace of a building the maximum height of the hoarding board shall not be more than 15 meters (50 ') from the terrace level including the bottom clearance

14. <u>POSITIONING OF THE HOARDINGS</u> :-

The positioning of the hoardings on the side of road should be such that it will not obstruct the widening of road in near future. The positioning of the hoardings shall be approved by the Chief Engineer on case-to-case basis In any case it should be at least 1.50 m. away from the outer edge of the shoulder of the road in such a way that it does no obstruct the drainage of water.

15. <u>MINIMUM DISTANCE BETWEEN TWO HOARDINGS</u>

The minimum distance between two hoardings on the same side of the road / alignment shall be not less than 50 meters as viewed by north -bound and south –bound traffic or east - bound and west - bound and west - bound traffic as appropriate independently.

16. <u>ALIGNMENT OF HOARDINGS</u> :

a. As far as possible in uniformity of the size of the hoardings and alignment, therein a particular locality, more particularly along the arterial roads and expressways, shall be maintained and it shall be parallel to the center line of road except in case where it may not be possible due to topography.

b. In case of hoardings on the bridges, the height of the support shall be so adjusted as to make a uniform line, not higher, than the embankment of the wall.

c. Advertisement boards to be put up along railings shall be, in the interest of public safety, at least 60 cms (1 ½ ") behind such railing and not project over or beyond the same.

d. The Agency shall realign, readjust, or shift the hoardings whenever called upon to do so by the Chief Engineer or any other officer authorized by him to do so at his own cost without claiming any compensation.

17. <u>CLUBBING OF HOARDINGS</u>

The request of clubbing of the hoardings shall be considered only if the resultant single hoarding is in conformity with the standard sizes.

18. <u>PROJECTION OF HOARDINGS</u> :

a. Hoarding on the terrace of built-up structure building shall not be allowed to project In the interest of public safety, beyond the building line.

b. Hoardings on open ground shall not be permitted to project over roadside shoulders.

19. RESTRICTIONS

i. No illuminated hoarding shall be permitted with cone of vision of driver.

ii. No hoarding shall be permitted at intersection within a distance of 30 meters from the center of intersection

iii. No new hoardings will be permitted within a radial distance of 100 meters of an existing hoardings as viewed by north-bound and south bound traffic (or east-bound and west bound traffic as appropriate independently)

iv. No hoarding shall normally be allowed on sites such as water tanks or around the recreational grounds, trees, telegraph poles, public places of worship, police chowkies Heritage precincts buildings of national importance etc.

v. No hoardings shall be permitted which materially cover greenery, landscaping or large size trees in the adjoining areas.

vi. No hoarding shall be permitted which would obstruct the vision of the sunrise or sunset, at location which are specially known as sunrise or sunset points.

vii. No hoarding shall be permitted on buildings of archeological, architectural, esthetical, and historical or heritage importance as may be decided by / The Government.

viii. No hoarding shall be permitted which is likely to obstruct the view of any building or monument of historical, archeological, architectural esthetical or heritage importance of coming in the way of the elevation of any such building or monument.

ix. No hoarding, glow signs, kiosks, etc, or their supporting structures should be in the territory of 2.5 meters vertically and 1.5 meter horizontally as provision of Indian Electricity Act of open electric transmissions wire.

x. No hoarding shall be permitted on a building which has been declared dangerous (partially or fully)

xi. No illumination on hoardings, neon signs, electronic display boards etc. would be allowed after midnight & before sunrise and such hoarding shall be inconformity with Para 3.5.2 of National Building Code &IRC - 46 -1972.

20. UNIPOLES :

Unipoles are the advertising media similar to the hoardings as far as display is concerned but differs in the structure. The pole on the central or side verge of the display boards is made of RCC & Structural Steel. Such Unipoles are strong and the structural designs are made by certified structural engineer and the structure is erected under his supervision. After completion of work, a certificate is to be issued by the Structural Engineer of the safety and stability of the structure every three year of completion. The minimum bottom clearance of the display boards shall be 5.50 meters from the ground level At certain places permission of projection of display boards on unipoles shall be granted if it does not hamper the vision of the driver.

21. DUTIES AND RESPONSIBILITIES OF AGENCY:

a. The hoarding agency shall ensure that the hoardings structure and advertisement board are aesthetically designed and properly maintained at all times.

b. The agency must ensure that advertisements of obscene to ostentatious nature or any other offensive message are not allowed to be displayed.

c. The agency shall display or affix a nameplate of appropriate size and tender / agreement number allotted to the hoarding at the bottom right corner of the advertisements. He shall also display the month and year of expiry of the tender / agreement in symbols, via 9/99 for September 1999, 7/98 for July 1998 etc. along with agreement number.

22. ADDITIONAL NORMS FOR ELECTRONIC DISPLAY BOARDS :

Electronic Display Boards and other media like Mega Vision i.e. giant T.V Screen should be allowed to display at prime locations where illuminated hoardings are permissible. In such cases caution should be taken that it does not create traffic hazards. The illumination of such display Board shall be in conformity with Para 3.5.2 or NBC and IRC - 197 wherever it is applicable.

23. OBJECTIONABLE ADVERTISEMENTS AND REMOVAL OF ADVERTISEMENT :

a. No objectionable advertisement should be displayed on the boards and the decision of PWD to what is objectionable within the meaning of this clause should be final and binding upon the contractor. The slightly / untidy / unsafe / indecorous advertisements interpreting with any traffic control device, advertisements offending against any law or religion or public morality, or is defamatory, advertisement with the use of name of pictorial representation of public figure or emblem prohibited by law etc. would be considered as objectionable advertisement.

b. A list of Acts and advertisements prohibited by them is mentioned in Annexure-I. Also a list of Negative advertisements given in Annexure II. The advertisement of item contained in 60th the above Annexures is prohibited. The agency will follow this provision scrupulously.

c. If the PWD requires the removal of any advertisement it must be removed forth with within 42 hours of notice failing which the PWD shall have right to get the advertisement removed at the risk and cost of the agency. No claim for compensation for or arising out of such removal will be paid to the agency.

d. The agency alone shall be liable for any action or proceedings taken by any person or authority in any way concerned with the display of the

advertisements and the contractor shall indemnify and keep indemnified the PWD from and against all such actions and proceedings and the cost consequences thereof.

24. POLICY REGARDING OTHER NEW AND INNOVATIVE MEDIA :

Special Permission shall be granted to other new media innovated from time to time in future provided it does not affect the public amenities and utilities at large.

25. GUARD RAILS ALONG MEDIANS FOOTHPATHS :

The Chief Engineer may permit the agency to provide and maintain guard rails along the median / footpath by allowing the agency to display the name/ product / advertisement on such terms and conditions as the Chief Engineer may deem fit.

26. TREE GUARDS :

The Chief Engineer may permit the agency to provide and maintain tree guards of approved designs around the plant by allowing the agency to display the advertisement on such terms and conditions as the Chief Engineer deems fit.

27. ILLUMINATED ADVERTISEMENTS :

Illuminated advertisement of the following description are objectionable from the angle of traffic safety and shall not be allowed.

a. Illuminated advertisement of such intensity or glow which causes glare or impairs vision of the driver or pedestrian, or which otherwise interferes with any operations of driving.
b. Advertisements illuminated in such a way as obscure or diminish effectiveness of any official traffic sign, device or signal etc.
c. The level of luminance should not exceed a source of 1 cd/cm^2 which represents the TLV suggested by ACGIH (1997) with an operational limit of not more than 8 hours in a day (24 hours)
d. The neon - signs in residential premises should not be blinking.
e. Illuminated signs should be put off after midnight.

28. ADDITIONAL CONDITION :

The following additional conditions shall be applicable to advertisements:

a. No additions / modifications shall be permitted during the period of contract without permission of the Chief Engineer.

b. If the Chief Engineer for reasons to be recorded in writing, requires removal of the advertisements, it must be removed forthwith **within 42 hours of notice,** failing which the Chief Engineer shall have the right to get advertisements removed at the risk and cost of the agency, This power **shall** not be exercised by an officer below the rank of Executive Engineer.

c. The advertisement must be maintained in a clean, tidy and safe condition to the satisfaction of the **Executive Engineer**.

d. The Codal Provision of Advertisement Standard Council of India (ASCI) and any additional rules formed by Government of Maharashtra from time to time will be complied with by the agency.

Any breach committed by the agency, of the rules, shall result in the terminations of the contract.

29. ILLEGAL ADVERTISEMENTS:

If a party erects an advertisement or makes any alterations to any existing advertisement without prior permission of Chief Engineer, then The Executive Engineer shall issue notice to the party within two working days & if the advertisement is found to be illegal then it shall be removed within seven working days from date of notice at the risk & cost of the party. If the party does not respond then material of structure & display shall be confiscated to recover the cost of removal and revenue plus penalty as decided by the Chief Engineer. The Chief Engineer shall act as governing authority and shall maintain adequate infrastructure to keep vigil to check illegal advertisement & for safety aspect of permitted media. If a party defaults in the payment of the revenue / Penalty to the Government of any permitted advertising media then the permission shall be cancelled and the structure of the media will be confiscated and the recovery proceeding shall be carried out by Chief Engineer.

30. MAINTENANCE &INSPECTION :

1. **Maintenance** :

All signs for which a permit is required together with all their supports, brace, guys and anchors shall be kept in good condition, both structurally and aesthetically. And when not galvanized or constructed of approved corrosion-resistive noncombustible materials, shall be painted when necessary to prevent corrosion. The color of the structure should be as specified by the Government or its representative which will be in coordination with color of street furniture of the said road / building.

2. **House Keeping** :

It shall be the duty and responsibility of the agency to maintain the immediate premises occupied by the sign, in clean sanitary and healthy conditions.

3. **Inspection** :

Every sign shall be inspected by the Authority at least once in every calendar year.

4. **Safety & Stability** :

Safety & Stability certificate from the licensed structural engineer are required every second year for hoarding structures.

31. GENERAL REQUIREMENTS FOR ALL SIGNS :

1. **Loads** :

Advertising sign shall be designed so as to withstand the wind, dead, seismic and other loads as set out in relevant IS Codes.

2. Illumination :

No sign shall be illuminated by other than electrical means and electrical devices and wiring shall be installed in accordance with the requirements of relevant IS Codes

3. Location of Advertising Signs :

    a. No advertising signs be erected, constructed and maintained so as to obstruct and pedestrian movement or fire escape for any window or door, or opening used as a means for ingress or firefighting purpose or so as to prevent free passage from one part of a roof to any other part thereof.

b. No sign shall be erected in any form shape or manner which will interferes with any opening required for lighting and ventilation.

c. Location of hoardings visible part of hoardings above ground shall be at a distance of minimum 1.5 mtr. from the toe of embarkment

32. USE OF COMBUSTIBLES :

1. **Ornamental Features:**

Wood or plastic or other materials of combustible shall not be used in any part of the Structure of hoardings / advertisement.

2. **Sign Facing :**

Sign facing shall not be made of any type of combustible material and the wiring for electric lighting is entirely enclosed in metal conduit and installed with a clearance of not less than 5 cm from the facing material For hoardings the display sheet must be of 1 mm thickness welded with the MS angles as the supporting structure. In no case the supporting structure should be visible on the display area.

3. **Damages or defacement by Removal of Advertising Signs :**

Whenever any advertising sign is removed, whether in consequence of a notice or order under the contract or otherwise, and damage or defacement to the building or site on or from which such sign was displayed, shall be made good to the satisfaction of the Executive Engineer by the concerned agency.

4. **Alteration to Ground Level :**

No alteration shall be made to the ground level adjacent to any advertising sign

33. TRAFFIC CONTROL INTERFERENCE :

No advertising sign shall be erected or maintained which interferes with or is likely to interfere with any sign or signal for the control of traffic

No Advertising sign shall be placed at intersecting streets so as to obstruct the view of traffic

1. **Draining of Signs :**

Adequate provision for drainage shall be made in every advertising sign, where the possibility of collection of moisture exists

2. **Glass in Signs** :

All glass used in advertising signs, other than glass tubing used in gas discharge or similar signs shall be of safety glass conforming to accepted standards and at least 3 mm thick. Glass panels in advertising signs shall not exceed 6 m^2 in area. Each panel being securely fixed in the body of the sign independently of all other panels. Glass in signs shall be properly protected from the possibility of damage by falling objects by the provisions of suitable protecting metal canopies, or by other approved means. Use of glass may be discouraged or avoided wherever possible for signs placed overhead.

3. **Interference to Fire Hydrants** :

Advertising signs shall be so placed as not to obstruct the use of the hydrants or other firefighting appliances.

4. **Serving Device**:

Ladders, platforms, hooks, rings and all other devices for the use of servicing personal shall have safety device and suitable design loadings

5. **Animated Device** :

Signs which contain moving section or ornaments shall have fall safe provisions to prevent the section or ornaments from shifting its center of gravity. The fall - safe device shall be in addition to the mechanism and its housing which operate the movable section or ornament. The fall-safe device shall be capable of supporting the full dead weight of the section or ornament when moving mechanism releases.

34. ELECTRIC SIGNS AND ILLUMINATED SIGNS :

Materials for Electric signs:

Every electric sign shall be constructed of non-combustible material. except where the sign is purely a flood-lit sign.

1. **Installation of Electric Signs and illuminated Signs** :

Every electric sign and illuminated sign shall be installed in accordance with relevant IS Codes.

No illuminated signs in red, amber green colors shall be used or erected on a hoarding / advertisement.

All advertising signs illuminated by light other than a white light at a height of less than two stories or 6 m above the footpath, whichever is more, shall be suitably screened so as to prevent any interference with any sign or signal for the control of traffic.

2. **Intense illumination** :

   No sign shall be erected which is of such intense illumination which will disturb the residents in adjacent or nearby residential buildings. Not with standing any permission given for such erection, any such sign which after erection is, in the opinion of the Executive Engineer, disturbing the occupants of adjacent or nearby buildings shall, on the order of the Executive Engineer be suitable altered or removed by the agency within such reasonable period as the Executive Engineer may specify.

3. **Hours of operation** :

   No Electric sign, other than those necessary in the opinion of the Authority in the interest of public amenity, health safety, shall be operated between midnight and sunrise

4. **Flashing, Occulting and Animated Signs** :

   No flashing occulting or animated advertising signs, the periodicity of which exceeds 30 flashes per minute shall be erected such that the lowest point of such signs is less than 9m. above the ground level.

   For illuminated signs in the vicinity of airports, the Directorate General of Civil Aviation should be consulted.

5. The illumination facility provided may be inspected by the office of the Executive Engineer P.W. (Electrical) and their observations, if any will be complied by the agency at its own cost.

Fine:

Whoever commits a breach of any these bye laws shall be punishable: With fine which may extend to Rs.1000 /- for every day during which the breach continues after receipt of notice from Executive Engineer to discontinue such breach.

Most of the advertisement potential is cashed by private property owners adjoining to the ROW by getting viewership from highway commuters. In-fact such potential exists due to existence/development of road.

Levi of Betterment Charges may be possible under provision of Chapter- V of Bombay Highway Act 1955.
